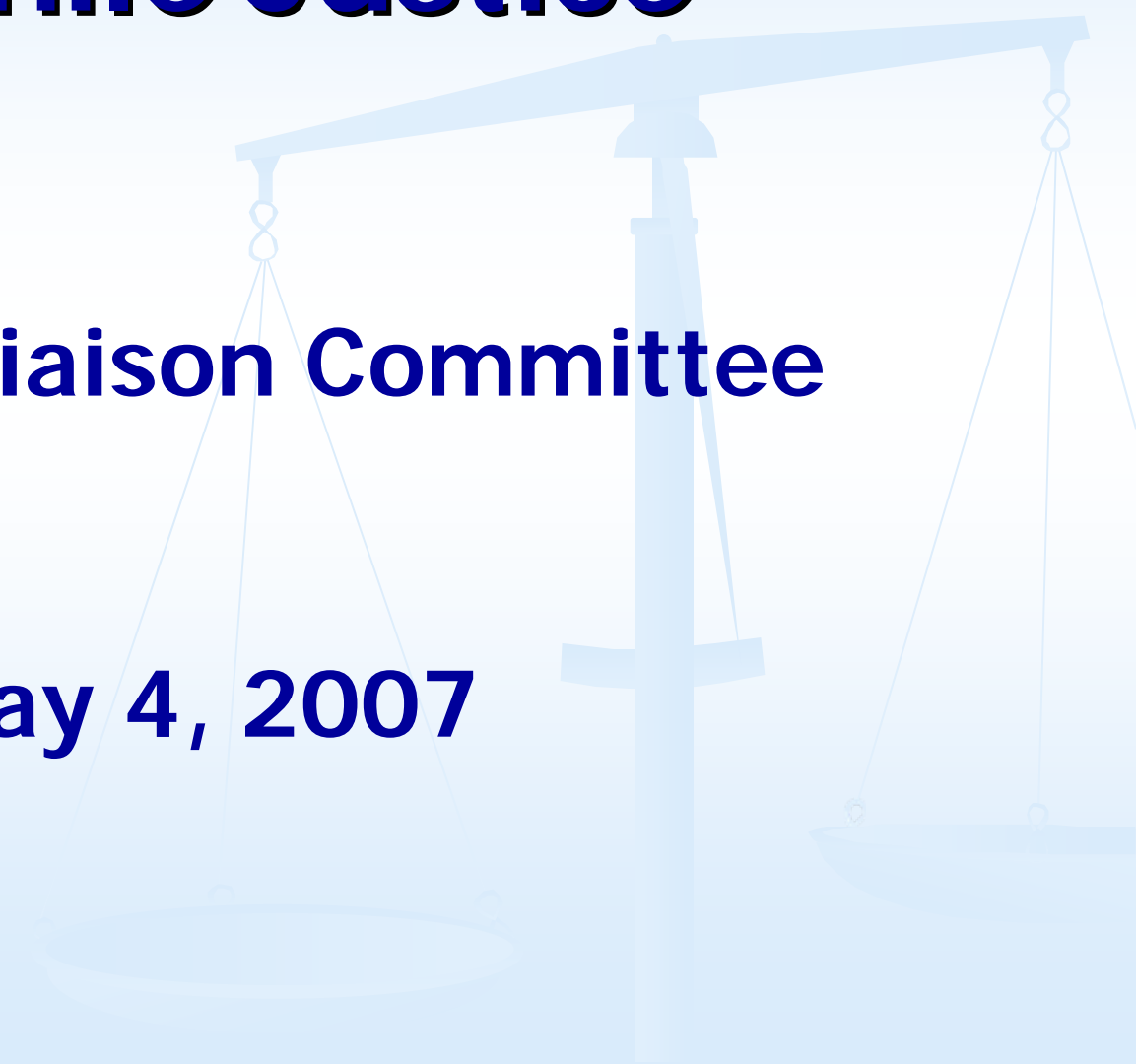


Virginia Department of Juvenile Justice

Judicial Liaison Committee

May 4, 2007



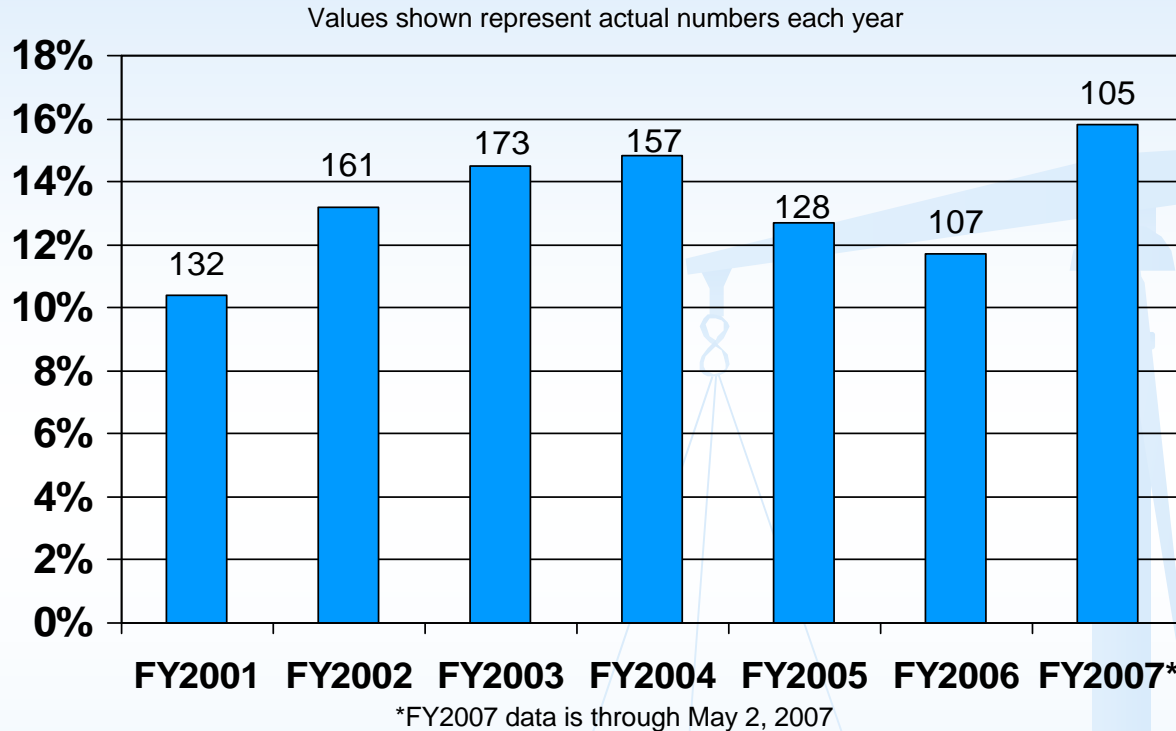
Why Look at CC Commitments?

- Circuit Court commitments need to be sight-and-sound separated at the age of 18.6. At that time, males are moved to Culpeper JCC and females are moved to a separate unit at Bon Air JCC.
- Circuit Court commitments tend to have a longer length of stay.
- Many will also have a blended sentence so they will have a DOC sentence as well as their DJJ commitment.
- The majority of CC commitments have a determinate sentence, requiring them to appear in court at 24 months and every 12 months thereafter.

What are the Sight & Sound Requirements for DJJ?

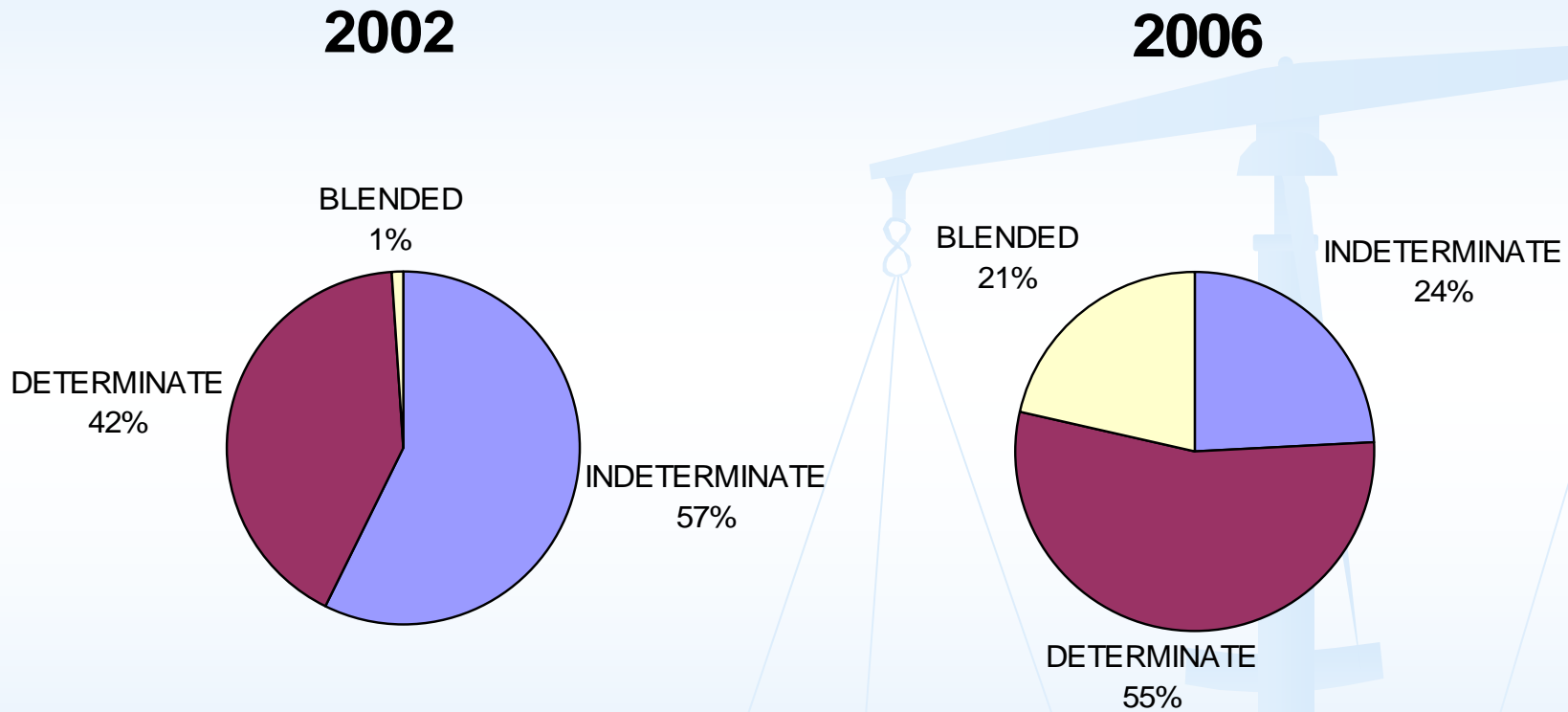
- The Office of Juvenile Justice and Delinquency Prevention (OJJDP) policy interpretation regarding the separation core requirement [Section 223(a)(13)(A)] of the JJDP Act requires that Circuit Court (CC) convicted wards over the age of 18.5 be kept “sight and sound separate” from juvenile wards in the Department’s secure JCCs.
- The Department came into compliance as of May 2006 *with the exception* of Oak Ridge JCC.
 - DJJ’s stance on low intellectual functioning wards uses an individual case review for those age 18 and over at Oak Ridge. Based on this case review, a placement decision is then made in the best interest of the ward.

How Many Circuit Court Commitments Does DJJ Receive?



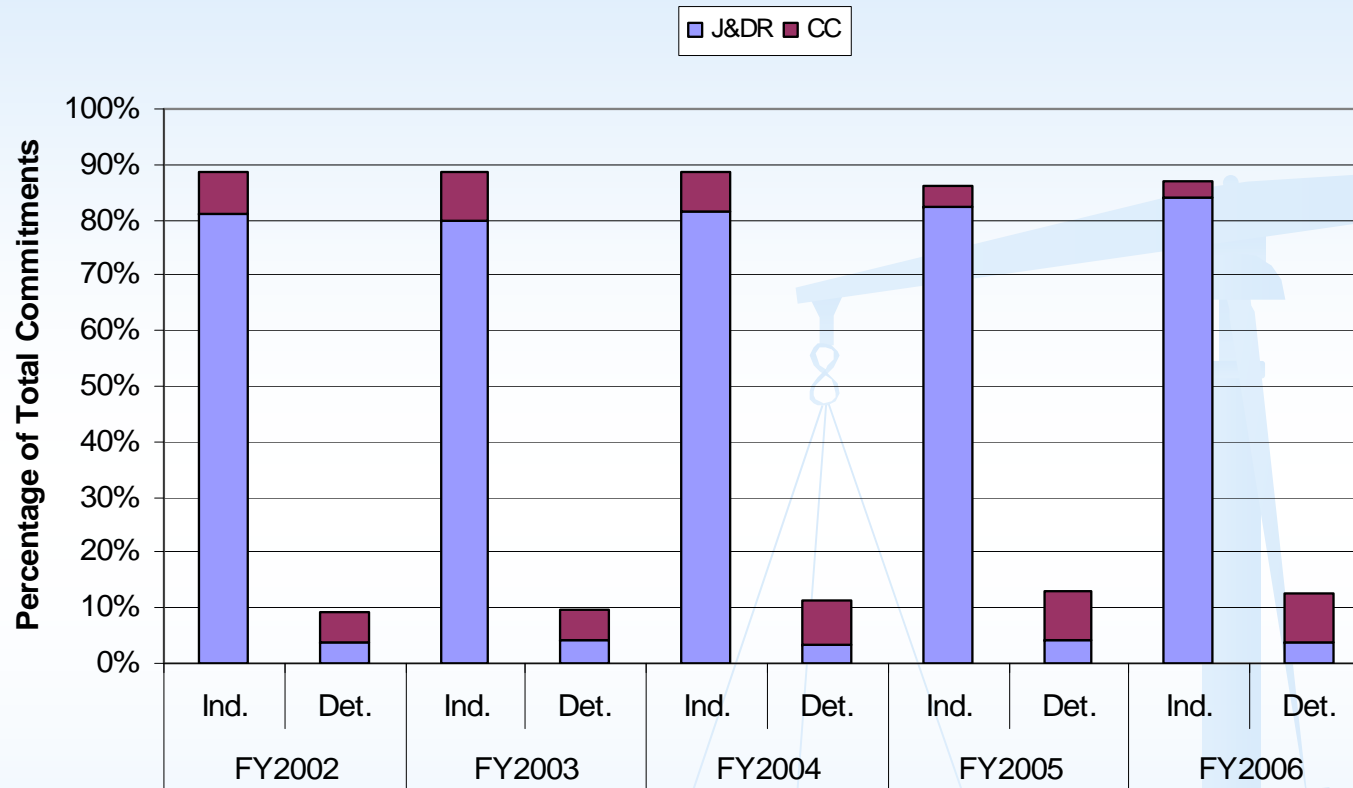
- Circuit Court commitments represent between 10-15% of commitments to DJJ each fiscal year. So far in FY2007 they represent close to 16% of commitments.
- The percentage of commitments that come from Circuit Court decreased from FY2004 through FY2006.
- Even though the percentage of commitments coming from Circuit Court has decreased, actual lengths of stay for determinate and blended sentences have increased - contributing to the "stacking-up" effect in the population.

Types of Circuit Court Commitments



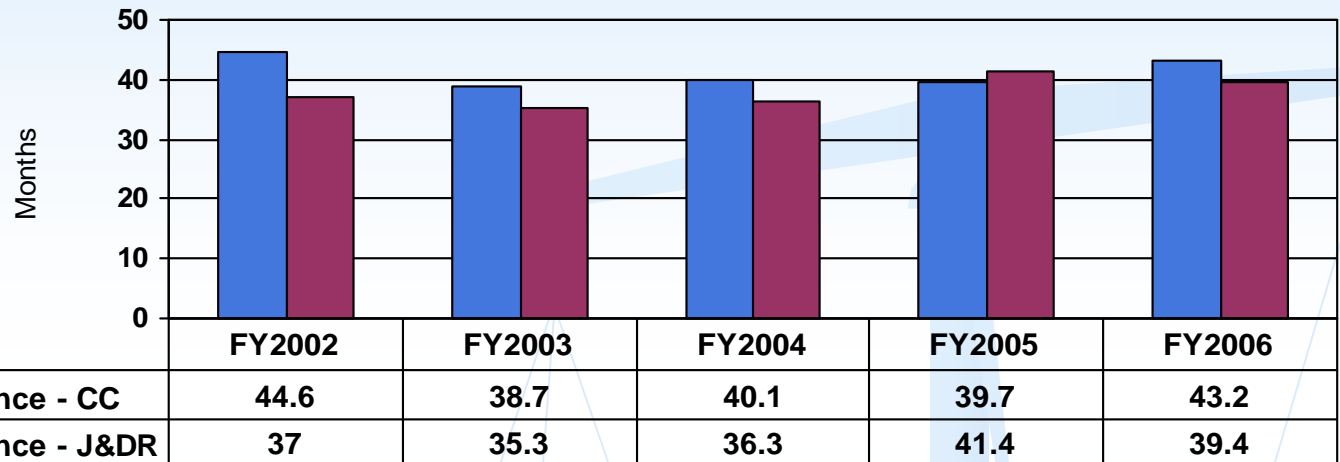
- The percentage of blended and determinate commitments increased from FY2002 through FY2006. This illustrates the “stacking-up” effect mentioned earlier.

Indeterminate and Determine Commitments by Court Type



- J&DR commitments make up the majority of indeterminate commitments, while CC commitments make up a larger portion of the determinate commitments.
- The number of indeterminate commitments from both courts has been decreasing over the last several fiscal years.
- The percentage of determinate commitments coming to DJJ from CC has increased every year since FY2002, while the percentage of indeterminate commitments from CC has decreased.

Average Sentence for Determinate Commitments



- The average determinate sentence for CC commitments tends to be longer than the average of the J&DR commitments.
- In FY2005, the average determinate sentence for J&DR commitments was slightly higher than that of the CC commitments.

Recidivism

For the purposes of reporting recidivism rates of juveniles as required by Code of Virginia §2.2-222, the Department adopted, in 2000, the following definition:

A recidivist is a person who is found by a court to have committed, after being (a) placed on probation or (b) released from confinement, a delinquent or criminal act other than violation of probation or parole.

12 Month Recidivism Rates

| JCC Releases | | | | | |
|------------------------|--------|--------|--------|--------|--------|
| | FY2001 | FY2002 | FY2003 | FY2004 | FY2005 |
| Rearrest | 49.7% | 52.1% | 49.5% | 51.9% | 48.9% |
| Reconviction | 41.0% | 43.1% | 40.3% | 40.4% | N/A |
| Reincarceration | 22.0% | 22.7% | 21.9% | 20.8% | N/A |
| Total Releases | 1,398 | 1,228 | 1,199 | 1,091 | 941 |

| CC Releases* | | | | | |
|------------------------|--------|--------|--------|--------|--------|
| | FY2001 | FY2002 | FY2003 | FY2004 | FY2005 |
| Rearrest | 37.0% | 40.0% | 44.2% | 44.2% | 39.4% |
| Reconviction | 22.8% | 32.4% | 33.3% | 34.3% | N/A |
| Reincarceration | 12.0% | 17.1% | 17.1% | 18.0% | N/A |
| Total Releases | 92 | 105 | 129 | 172 | 127 |

*Appealed cases and wards sent to DOC have been excluded.

- CC Releases are a subset of the JCC releases.
- Rearrest, reconviction, and reincarceration rates for CC releases have been consistently lower than JCC releases.
- The 12-month rearrest rate for CC releases increased by more than 7% between FY2001 and FY2003, remained the same in FY2004, then decreased by nearly 5% in FY2005.
- The 12-month reconviction rate for CC releases increased by more than 11% from FY2001 to FY2004.
- The 12-month reincarceration rate for CC releases increased by 5% from FY2001 to FY2002, then remained stable through FY2004.